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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/955,198	09/19/2001	Hajime Tabata	0505-0870P	8673

2292 7590 09/25/2006

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EXAMINER

GESESSE, TILAHUN

ART UNIT PAPER NUMBER

2618

DATE MAILED: 09/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/955,198

Applicant(s)

TABATA ET AL.

Examiner

Tilahun B. Gesessse

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 July 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of claims

1. This is in response to applicant's amendment and argument filed July 5, 2006 in which claims 1-20 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mikami (7,096,018) in view of Pottala et al (US 5,881,370).

Claim 1, Mikami teaches a communication system with a group registration function, (see col. 3 lines 39-64 and col.4 lines 17-39) comprising:

Mikami teaches a plurality of communication devices (6,7,8 of fig.1) each including.

Mikami teaches a group mode for selectively registering at least one specific communication partner in each of a plurality of groups, the group mode

allowing communication only between a first group of the plurality of groups selectively registered and a second group of the plurality of groups selectively registered (see col. 3, lines 39-64 and col. 4, lines 17-39 and figs.1-4).

Mikami does not expressly teach a switch , wherein the switch being adapted to enable switching of communication from the first group to the second group with a single operation of the switch.

However, Pottala teaches a communication apparatus (100) includes an automatically configured multimode talk switch (154) can be operated in a simplex communication mode, and duplex communication mode (see abstract and fig.2 and col.2, lines 57-col.3, line 6).

Both Mikami and Pottala teach group communication technique, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to switch from a group to another group using a single operation in Mikami system, as evidenced by Pottala, in order to operate in multimode communication using push to talk switch (see abstract).

Claim 2, Mikami teaches a communication system with a group registration function (see col. 3, lines 39-64 and col. 4, lines 17-39 and figs.1-4), comprising:

Mikami teaches a group mode for selectively registering at least one specific communication partner in each of a plurality of groups, the group mode allowing communication only between a first group of the plurality of groups selectively registered and a second group of the plurality of groups selectively

registered (see col. 3, lines 39-64 and col. 4, lines 17-39 and figs.1-4).

Mikami does not expressly teach a switch, wherein the switch being adapted to enable switching of communication from the first group to the second group with a single operation of the switch.

However, Pottala teaches a communication apparatus (100) includes an automatically configured multimode talk switch (154) can be operated in a simplex communication mode, and duplex communication mode (see abstract and fig.2 and col.2, lines 57-col.3, line 6).

Both Mikami and Pottala teach group communication technique, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to switch from a group to another group using a single operation in Mikami system, as evidenced by Pottala, in order to operate in multimode communication using push to talk switch (see abstract).

Claims 3-6. Mikami teaches a group mode for selectively registering at least one specific communication partner in each of a plurality of groups, the group mode allowing communication only between a first group of the plurality of groups selectively registered and a second group of the plurality of groups selectively registered (see col. 3, lines 39-64 and col. 4, lines 17-39 and figs.1-4).

Mikami does not expressly teach a switch , wherein the switch being adapted to enable switching of communication from the first group to the second group with a single operation of the switch.

However, Pottala teaches a communication apparatus (100) includes an automatically configured multimode talk switch (154) can be operated in a simplex communication mode, and duplex communication mode (see abstract and fig.2 and col.2, lines 57-col.3, line 6).

Both Mikami and Pottala teach group communication technique, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to switch from a group to another group using a single operation in Mikami system, as evidenced by Pottala, in order to operate in multimode communication using push to talk switch (see abstract).

Claims 7-10, Mikami teaches a group mode for selectively registering at least one specific communication partner in each of a plurality of groups, the group mode allowing communication only between a first group of the plurality of groups selectively registered and a second group of the plurality of groups selectively registered (see col. 3, lines 39-64 and col. 4, lines 17-39 and figs.1-4). It is considered that any of the mobile device be a visitor from different cell.

Mikami does not expressly teach a switch , wherein the switch being adapted to enable switching of communication from the first group to the second group with a single operation of the switch.

However, Pottala teaches a communication apparatus (100) includes an automatically configured multimode talk switch (154) can be operated in a simplex communication mode, and duplex communication mode (see abstract and fig.2 and col.2, lines 57-col.3, line 6).

Both Mikami and Pottala teach group communication technique, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to switch from a group to another group using a single operation in Mikami system, as evidenced by Pottala, in order to operate in multimode communication using push to talk switch (see abstract).

Claims 11 -16, Mikami teaches a group mode for selectively registering at least one specific communication partner in each of a plurality of groups, the group mode allowing communication only between a first group of the plurality of groups selectively registered and a second group of the plurality of groups selectively registered (see col. 3, lines 39-64 and col. 4, lines 17-39 and figs.1-4). It is considered that any of the mobile device be a visitor from different cell and in vehicle.

Mikami does not expressly teach a switch , wherein the switch being adapted to enable switching of communication from the first group to the second group with a single operation of the switch.

However, Pottala teaches a communication apparatus (100) includes an automatically configured multimode talk switch (154) can be operated in a simplex communication mode, and duplex communication mode (see abstract and fig.2 and col.2, lines 57-col.3, line 6).

Both Mikami and Pottala teach group communication technique, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to switch from a group to another group using a single operation in Mikami

system, as evidenced by Pottala, in order to operate in multimode communication using push to talk switch (see abstract).

Claims 17-19, Mikami teaches a group mode for selectively registering at least one specific communication partner in each of a plurality of groups, the group mode allowing communication only between a first group of the plurality of groups selectively registered and a second group of the plurality of groups selectively registered (see col. 3, lines 39-64 and col. 4, lines 17-39 and figs.1-4).

Mikami does not expressly teach a switch, wherein the switch being adapted to enable switching of communication from the first group to the second group with a single operation of the switch.

However, Pottala teaches a communication apparatus (100) includes an automatically configured multimode talk switch (154) can be operated in a simplex communication mode, and duplex communication mode (see abstract and fig.2 and col.2, lines 57-col.3, line 6).

Both Mikami and Pottala teach group communication technique, then, it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to switch from a group to another group using a single operation in Mikami system, as evidenced by Pottala, in order to operate in multimode communication using push to talk switch (see abstract).

Claim 20, Mikami teaches a communication system with a group registration function, (see col. 3 lines 39-64 and col.4 lines 17-39) comprising:

Mikami teaches a plurality of communication devices (6,7,8 of fig.1) each including.

Mikami teaches a group mode for selectively registering at least one specific communication partner in each of a plurality of groups, the group mode allowing communication only between a first group of the plurality of groups selectively registered and a second group of the plurality of groups selectively registered (see col. 3, lines 39-64 and col. 4, lines 17-39 and figs.1-4).

Mikami does not expressly teach a switch , wherein the switch being adapted to enable switching of communication from the first group to the second group with a single operation of the switch.

However, Pottala teaches a communication apparatus (100) includes an automatically configured multimode talk switch (154) can be operated in a simplex communication mode, and duplex communication mode (see abstract and fig.2 and col.2, lines 57-col.3, line 6).

Both Mikami and Pottala teach group communication technique, then , it would have been obvious to an artisan of ordinary skill in the art at the time of the invention was made to switch from a group to another group using a single operation in Mikami system, as evidenced by Pottala, in order to operate in multimode communication using push to talk switch (see abstract).

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tilahun B Gesesse whose telephone number is 571-272-7879. The examiner can normally be reached on flexible schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on 571-272-7899.

The Central FAX Number is 571-273-8300. For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Delaney Street, Alexandria,

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VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TG

9/14/06


TILAHUN GESESSE
PRIMARY EXAMINER